Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 509-09670-2116-058	Date: 5/16/09	Time: 2100 Hours	
Location: [redacted] Palm Avenue	City or Station: Lynwood		
Bureau/Station/Facility: FOR2 / Century Station	Admin. Investigation: YES [ ] NO [X]		
Type of Force: Significant: Personal Weapons, Baton, Control Holds, Resisted Handcuffing			
Deputy Injury: YES [X] NO [ ]	Suspect Injury YES [X] NO [ ]		
[ ] Call	[X] Observation	[ ] Detail	[ ] Foot Pursuit [ ] Vehicle Pursuit
IAB Notified: YES [X] NO [ ]	Person Notified: Lt. Kusch	Emp: [redacted]	IAB Roll Out: YES [ ] NO [X]

Involved Employee

E1

Employee #: [redacted]	Last Name: Zuniga	First Name: Raul	Middle Name:
Sex: [X] Male [ ] Female	Race: H	Unit of Assignment: FOR2 / Century	Work Assignment (Unit #, Module, etc.): 212D
Shift: [ ] EM [ ] Day [X] PM	[X] Regular Shift [ ] OT Shift [ ] Off Duty	Age: [redacted]	Height: 5'08" Weight: 180
[X] Injured [X] Treated [ ] Admitted	Hospital: US Health Works, Compton	Coroner Case #	Directed Force [ ] Significant Force [X]

E2

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle Name: [redacted]
Sex: [redacted]	Race: [redacted]	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: [redacted]	[redacted]	Age: [redacted]	Height: [redacted] Weight: [redacted]
[ ] Injured [ ] Treated [ ] Admitted	Hospital:	Coroner Case #	Directed Force [ ] Significant Force [X]

E

Employee #	Last Name	First Name	Middle Name
Sex: [ ] Male [ ] Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Shift: [ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty	Age:	Height: Weight:
[ ] Injured [ ] Treated [ ] Admitted	Hospital:	Coroner Case #	Directed Force [ ] Significant Force [ ]

[ ] Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Bardon	Joshua	A	SGT	YES [ ] NO [X]	YES [ ] NO [X]
					YES [ ] NO [ ]	YES [ ] NO [ ]

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Bevans	William	C

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Ellison	Adam	C

Lieutenant Adam Ellison — Watch Commander (Print Name) | A. [signature] — Watch Commander's Signature: | Emp #: [redacted] | Date: 5-30-09

Sergeant Joshua Bardon — Supervisor Completing Form: (Print Name) | Emp #: [redacted] | Sergeant Joshua Bardon — Copy Provided to Employee by: | Emp #: [redacted]

Captain James J. Hellmold — Unit Commander (Print Name) | [signature] — Unit Commander's Signature: | Emp #: [redacted] | Date: 7/2/09

CONTENT TODD S. ROGERS [redacted] NOTED

DISCOVERY Use Only

FO# 2246527

2-DVDR
2-CDR

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
SUSPECT INFORMATION
5 0 9 - 0 9 6 7 0 - 2 1 1 6 - 0 5 8

Suspect Information

S 1

Last Name	Dawson	First Name	Edward	Middle Name	Deshawn
AKA Last Name	N/A	First Name	N/A	Middle Name	N/A

Sex: [X] Male [ ] Female | Race: B | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 18 | Height: 5'07" | D.O.B. 06-10-90 | Weight: 140 | Armed? [ ]

Booking #: 1912565 | Primary Charge Code: 664/187 P.C. | Secondary Charge Code: 11350(a) H&S | Criminal History [redacted]

EMT in attendance? [ ] YES [X] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: St. Francis Medical Center Coroner Case #: N/A Mental History [ ]

By Doctor: Kazan Address: 3630 East Imperial Highway, Lynwood Phone #: 310-900-8900

Under Influence: [X] YES [ ] NO Substance: Marijuana Mental Illness [ ]

Suspect Interview

Date: 05-17-09 | Time: 0346 | [ ] Audiotape: [X] Videotape: [X] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S 2

Last Name	Robertson	First Name	Charles	Middle Name	Laran
AKA Last Name	N/A	First Name	N/A	Middle Name	N/A

Sex: [X] Male [ ] Female | Race: B | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 26 | Height: 6'02" | D.O.B. 11-10-82 | Weight: 193 | Armed? [ ]

Booking #: 1912446 | Primary Charge Code: 664/187 P.C. | Secondary Charge Code: 69 P.C. | Criminal History [redacted]

EMT in attendance? [ ] YES [X] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: Coast Plaza Doctor's Hospital Coroner Case #: ______ Mental History [ ]

By Doctor: Cole Address: 13100 Studebaker Road, Norwalk Phone #: 562-868-3751

Under Influence: [ ] YES [X] NO Substance: ______ Mental Illness: [ ]

Suspect Interview

Date: 5-16-09 | Time: 0411 | [ ] Audiotape: [X] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S /

Last Name		First Name		Middle Name	
AKA Last Name		First Name		Middle Name	

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: ______ Coroner Case #: ______ Mental History [ ]

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: [ ] YES [ ] NO Substance: ______ Mental Illness [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: [ ] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
509-09670-2116-058

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Dawson	S#1	Zuniga	E#1	UC	NN	
Dawson	S#1	Zuniga	E#1	RS	NN	
Zuniga	E#1	Dawson	S#1	CT	NN	
Dawson	S#1	Zuniga	E#1	PH	CP	FA
Zuniga	E#1	Dawson	S#1	PH	CP,FR	FA
Zuniga	E#1	Dawson	S#1	CT	AB	KN
Robertson	S#2	Zuniga	E#1	OO	NN	
Zuniga	E#1	Robertson	S#2	PH	NN	
Dawson	S#1	Zuniga	E#1	PH	CP	FA
Dawson	S#1	Zuniga	E#1	PO	NN	
Dawson	S#1	Zuniga	E#1	PP	NN	
Dawson	S#1	Zuniga	E#1	PO	NN	
Dawson	S#1	Zuniga	E#1	PH	NN	
Dawson	S#1	Zuniga	E#1	RS	NN	
Zuniga	E#1	Dawson	S#1	PH	CP	FA
Zuniga	E#1	Dawson	S#1	CT	NN	
Dawson	S#1	[redacted]	E#2	RS	NN	
[redacted]	E#2	Dawson	S#1	PH	CP	BK
[redacted]	E#2	Dawson	S#1	BI	BR	BK
Zuniga	E#1	Dawson	S#1	RH	NN	
[redacted]	E#2	Dawson	S#1	RH	NN	

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Force Applied

SIGNIFICANT / PERSONAL WEAPONS / BATON / CONTROL HOLDS

Incident Details

Deputy Zuniga legally detained Suspect Dawson, Suspect Robertson, and Witness [redacted] regarding a narcotics investigation. Suspect Dawson was resistive and began to walk away from Deputy Zuniga who tried to stop Suspect Dawson. Deputy Zuniga gave him commands to face away from him and attempted to handcuff him. Suspect Dawson spun around and hit Deputy Zuniga in the face.

Suspect Dawson then began punching Deputy Zuniga in the face. Deputy Zuniga responded with personal weapons punching Suspect Dawson in the face and ordered him to stop fighting. Suspect Dawson continued his attack on Deputy Zuniga. Deputy Zuniga was able to pin Suspect Dawson against a fence however Suspect Dawson called Suspect Robertson for help and said, "let's kill this nigger". Deputy Zuniga then saw Suspect Robertson attempt to remove his duty weapon from his holster. Deputy Zuniga then punched Suspect Robertson in the face once, and Suspect Robertson stepped back.

Suspect Dawson continued to fight with Deputy Zuniga and ripped his radio from his gun belt. Deputy Zuniga created distance between himself and Suspect Dawson, however Suspect Dawson continued his advance. Deputy Zuniga responded with several more punches forcing Suspect Dawson back. Suspect Dawson then tripped on the sidewalk and Deputy Zuniga was able to pin him on the ground. Suspect Dawson continued to fight and tried to get up while Deputy Zuniga gave him orders to stay on the ground and stop fighting.

Deputy [redacted] arrived on scene and assisted Deputy Zuniga in controlling Suspect Dawson. Suspect Dawson placed his hands under his body and ignored the deputies' commands for him to show his hands. Deputy [redacted] punched Suspect Dawson in the torso area two to three times and gave him verbal orders to stop fighting however Supect Dawson continued to fight. Deputy [redacted] then struck Suspect Dawson four to five times with the butt end of his collapsed expandable baton on the right side of his torso. Suspect Dawson then complied with deputies' orders to put his hands out to his sides. When Deputy [redacted] took hold of Suspect Dawson's wrist, he pulled it back under his chest. Deputy [redacted] then struck Suspect Dawson on the right side of his torso again with his collapsed baton. Suspect Dawson then complied and Deputy Zuniga was able to control Suspect Dawson's left arm while Deputy [redacted] controlled the right arm and he was then handcuffed without further incident.

Suspect Robertson and Witness [redacted] had fled the scene and was apprehended by assisting units without incident.

Reported Use of Force by Involved Employee(s)

Deputy Zuniga completed a written report (Incident Report, SH-49) of his observations and actions, which was consistent with his verbal notification to me (Sergeant Bardon).

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Deputy [redacted] completed a written report (Supplemental) of his observations and actions, which was consistent with his verbal notification to me (Sergeant Bardon).

Witness Interview(s)

[redacted]

Miss [redacted] was on a [redacted] with Deputy Zuniga when the above use of force incident occurred. She is currently [redacted] and was attending the [redacted] as a [redacted] Miss [redacted] remembered seeing Suspect Dawson separate himself from the other male Black adults. Both Deputy Zuniga and Suspect Dawson then went out of her view while she remained seated in the patrol vehicle. Despite having a blocked view, she saw Deputy Zuniga and Suspect Dawson involved in a fight, punching one another, as they rolled around on the ground. She also heard Deputy Zuniga give repeated verbal orders for Suspect Dawson to stop fighting. Later, she saw Deputy [redacted] and several other responding units arrive on scene.

[redacted]

Mr. [redacted] was contacted, detained, and eventually interviewed by Sergeant Martin Rojas shortly after the use of force incident. Mr. [redacted] remembered seeing Deputy Zuniga driving near the intersection of Palm Avenue and Oak Street, in the city of Lynwood. However, Mr. [redacted] denied ever being involved in the incident or being a witness of it.

Suspect Interview(s)

Suspect Interview(s) Conducted By: ☒ **Watch Commander** ☒ **Supervising Sergeant**

SUSPECT EDWARD DAWSON

On May 17, 2009, at approximately 0346 hours, Lieutenant Adam Ellison and I conducted a videotaped interview of Suspect Dawson at the Century Regional Detention Facility.

During the interview, Suspect Dawson made several different claims about the force used during the incident. Several of these claims contradicted statements made earlier by Suspect Dawson during my initial videotaped interview.

Suspect Dawson stated he was approached by Deputy Zuniga, who pointed his duty weapon at him while illuminating him with a flashlight. According to Suspect Dawson, Deputy Zuniga maintained an instigating tone with him while asking about his gang affiliation. Suspect Dawson admitted to being uncooperative with Deputy Zuniga and to turning toward Deputy Zuniga. After being punched by Deputy Zuniga, Suspect Dawson admitted to "wrestling" with Deputy Zuniga for several minutes.

During my initial interview with Suspect Dawson, he stated Deputy Zuniga kneed him several times in the face as they remained on their feet, fighting one another. According to Suspect Dawson, the knee strikes

caused one of his front teeth to chip. However, during the subsequent interview with Lieutenant Ellison and myself, Suspect Dawson stated he was both kneed and kicked in the face while handcuffed. Suspect Dawson attributed the cause of his chipped front tooth to having been kicked in the face while he lay, handcuffed, on the ground.

Suspect Dawson continued to make several claims of being struck multiple times by a baton, and having his head slammed on the concrete sidewalk as he lay, handcuffed, on the ground. However, I was one of the first persons to arrive on scene, and was able to witness the handcuffing of Suspect Dawson. At no time was any force used on Suspect Dawson after he was handcuffed.

In describing the force used upon his person, Suspect Dawson provided the following: two baton strikes to the right rib cage area, one baton strike to the facial area, four baton strikes to his legs, fifty knee strikes to the head area, and thousands of punches. Further, Suspect Dawson alleged that multiple deputies used force on him.

Suspect Dawson complained of pain to his face, right rib cage area, and both legs. He had visible bruising and swelling on his face and right rib cage area. He also had abrasions on both knees. Suspect Dawson acknowledged that he had been treated for his injuries by medical staff. In terms of drug use, Suspect Dawson admitted to ingesting marijuana shortly before the incident.

SUSPECT CHARLES ROBERTSON

On May 17, 2009, at approximately 0411 hours, Lieutenant Adam Ellison and I conducted a videotaped interview of Suspect Robertson at the Century Regional Detention.

Suspect Robertson denied ever being involved in the incident or being struck by Deputy Zuniga. Further, Suspect Robertson stated he had no injuries, and did not complain of pain.

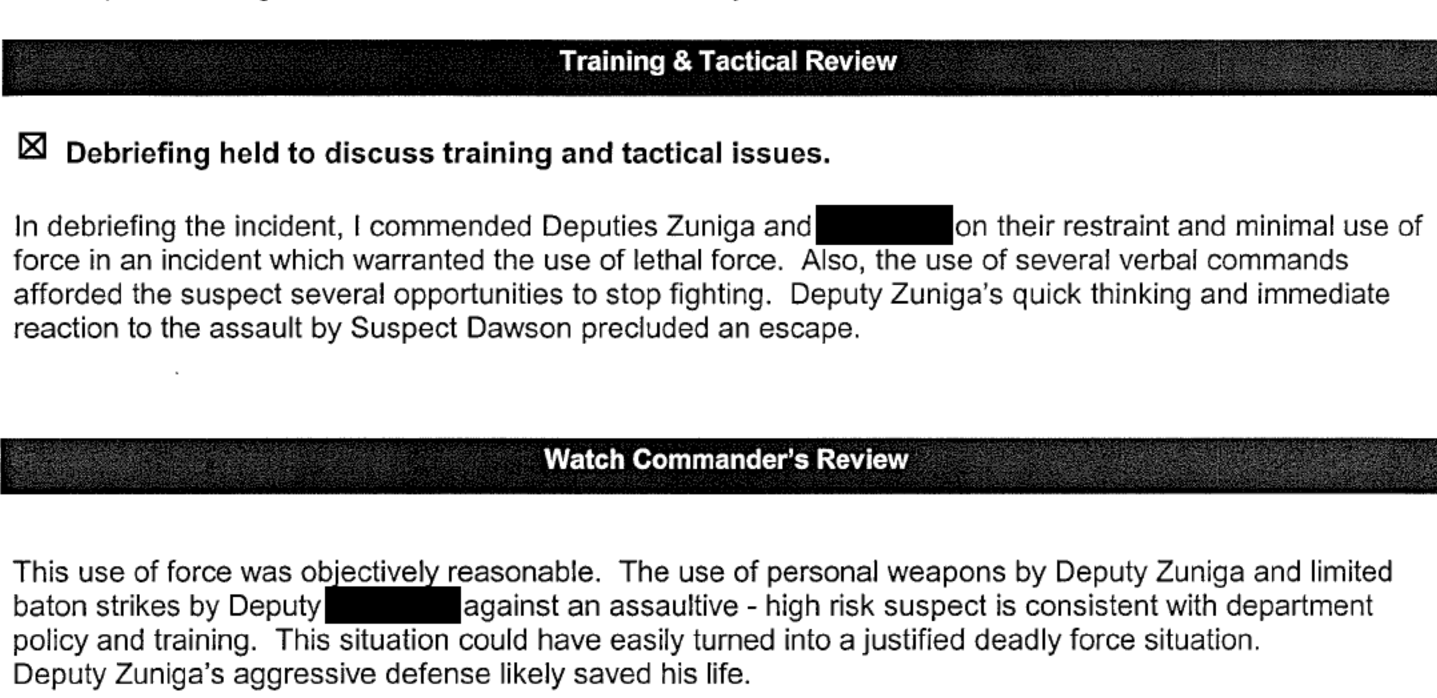
Medical Review

Suspect Dawson was transported to St. Francis Hospital for a medical examination and to obtain medical clearance for booking. Doctor Kazan examined Suspect Dawson under patient number 001081666. Suspect Dawson was examined and treated for his injuries. Suspect Dawson's injuries consisted of an orbital fracture to the left side of his face along with bruising to both sides of his face. He also complained of pain to his right rib cage area, and had visible bruising. Additionally, Suspect Dawson had abrasions on both knees, and a chipped front tooth. Suspect Dawson was later okayed for booking.

Initially, I discussed the force used on Suspect Dawson with Doctor Kazan. He indicated the injuries to Suspect Dawson were consistent with the force used. He further elaborated that an orbital fracture is a very common injury caused by hand strikes to the face. I then discussed Suspect Dawson's description of the force used with Doctor Kazan. Doctor Kazan indicated the injuries were not consistent with Suspect Dawson's account. Additionally, it was Doctor Kazan's opinion that multiple knee strikes to the face would have caused more extensive injuries, including multiple fractures to his facial bones and nose. As for the alleged baton strikes to the legs and face, Doctor Kazan saw no visible injuries to validate Suspect Dawson's claim.

Suspect Robertson was transported to Coast Plaza Doctor's Hospital in Norwalk for a medical examination

by Doctor Cole. Doctor Cole examined Suspect Robertson under patient number 228251. He later received an okay for booking after it was confirmed he had no injuries.



Training & Tactical Review

☒ **Debriefing held to discuss training and tactical issues.**

In debriefing the incident, I commended Deputies Zuniga and [redacted] on their restraint and minimal use of force in an incident which warranted the use of lethal force. Also, the use of several verbal commands afforded the suspect several opportunities to stop fighting. Deputy Zuniga's quick thinking and immediate reaction to the assault by Suspect Dawson precluded an escape.

Watch Commander's Review

This use of force was objectively reasonable. The use of personal weapons by Deputy Zuniga and limited baton strikes by Deputy [redacted] against an assaultive - high risk suspect is consistent with department policy and training. This situation could have easily turned into a justified deadly force situation. Deputy Zuniga's aggressive defense likely saved his life.

Case Status

The facts of the initial case were submitted to the District Attorney's Office at Compton Court for filing consideration. A felony charge of 69 PC was filed against Suspect Dawson and Suspect Robertson, under case number TA106626. Suspect Dawson was additionally charged with 11350(a) HS, 148(a)(1) PC, and 243(b) PC. Suspect Robertson was also additionally charged with 148(a)(1) PC.